

REMARKS

Claims 1-10, 13, and 15-31 will remain pending in the current Application upon entering this amendment. Claims 1, 13, and 15 have been amended; and claims 11, 12, 14, and 32-34 have been cancelled. Applicants submit that the amendments do not add new matter to the current Application. All the amendments herein have been made in order to clarify the claims and not for prior art reasons. Applicants also submit that (1) no amendment made was related to the statutory requirements of patentability unless expressly stated herein, and (2) no amendment made was for the purpose of narrowing the scope of any claim, unless Applicants have argued herein that such amendment was made to distinguish over a particular reference or combination of references.

With respect to claim 1, Applicants respectfully submit that claim 1 is patentable over US Patent Application No. 2002/0151145 (hereinafter referred to as Lee) under 35 U.S.C. 102(a) because Lee does not teach or suggest each and every element of claim 1. Applicants have amended claim 1 to include the elements of previously dependent claim 12 (including those of claim 11) and have therefore cancelled claims 11 and 12. Therefore, claim 1 now includes, after removing the first spacer, implanting through the insulating layer and into the semiconductor substrate to form an extension region. This element, for example, is not taught or suggested by Lee. The Examiner points to element 24a of Lee as the "implant region"; however, Applicants have clarified that an extension region is formed through the insulating layer. Note that, as clearly shown in FIGs. 4-6 of Lee, etch stop layer 20 is removed prior to formation of extension regions 26a. Therefore, extension regions 26a of Lee are *not* implanted through etch stop layer 20. Furthermore, one would not be motivated to change Lee to do so, since layer 20 is used as an etch stop layer for spacers 22a, and is therefore not needed after spacers 22a are removed. Also, different implant parameters are typically required for forming extension regions (such as regions 26a) as compared to deep source/drain regions (such as regions 24a). Therefore, for at least these reasons, Applicants submit that claim 1 is allowable over Lee. Claims 2-10 and 15 depend directly or indirectly from allowable claim 1 and are therefore also allowable for at least those reasons provided with respect to claim 1. (Note that Applicants amended claim 15 to depend from claim 1 rather than claim 11 since claim 11 has been canceled.)

With respect to claim 13, the Examiner has indicated that claim 13 is allowable, therefore, Applicants have rewritten claim 13 in independent form, including elements of claims 1 and 11. Therefore, Applicants submit that claim 13 is allowable over Lee.

With respect to claims 16 and 30, Applicants also submit that they are patentable under 35 U.S.C. 102(a) over Lee. Each of claims 16 and 30 includes, for example, an element of implanting through the insulating layer to form an extension region ("implanting through the insulating layer and into the semiconductor substrate to form an extension region" in claim 16 and "implanting an extension region through the insulating layer and into the semiconductor substrate" in claim 30). Applicants submit that these elements, for example, are not taught or suggested by Lee. As discussed above with respect to claim 1, Lee does not teach or suggest forming extension regions 26a through stop layer 20, nor does Lee provide any suggestion or motivation to do so. Therefore, for at least these reasons (including those discussed above with reference to FIG. 1), Applicants submit that each of claims 16 and 30 are allowable over Lee. Claims 17-29 and claims 31 depend directly or indirectly from allowable claims 16 or 30 and are therefore also allowable for at least those reasons that apply to claims 16 and 30.

Note that claims 32-34 have been withdrawn from consideration; therefore, Applicants have cancelled them herein. Also, Applicants have cancelled claim 14.

Conclusion

Although Applicants may disagree with statements made by the Examiner in reference to the claims and the cited references, Applicants are not discussing all these statements in the current Office Action, yet reserve the right to address them at a later time if necessary.

Applicant respectfully solicits allowance of the pending claims. Contact me if there are any issues regarding this communication or the current Application.

If Applicant has overlooked any additional fees, or if any overpayment has been made, the Commissioner is hereby authorized to credit or debit Deposit Account 503079, Freescale Semiconductor, Inc.

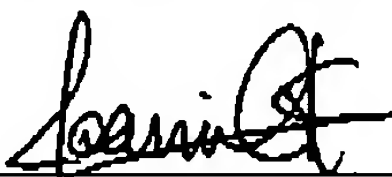
Respectfully submitted,

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